

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

David Antonio Perez

YOB:

PRINCIPAL

1998

United States District Court
Southern District of Texas
FILED

Case Number:

M-16-1813 -M

United States Citizen

SEP 29 2016

(Name and Address of Defendant)

David J. Bradley, Clerk

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 29, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Alfredo Padilla-Ramirez and Gustavo Padilla-Vellazana, citizens and nationals of the United Mexican States, along with eleven (11) other undocumented alien, for a total of thirteen (13), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near San Manuel, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 28, 2016, at approximately 7:00 a.m., Border Patrol Agent Gloria was patrolling near San Manuel, Texas when he noticed a gold color Dodge pickup truck. The agent noticed several subjects in the bed of the truck trying to conceal themselves with a blue tarp. The tarp appeared to be unsecured and flapping in the wind. The agent then decided to perform a vehicle stop to determine the immigration status on all occupants.

Agent Gloria activated his emergency equipment to conduct the vehicle stop. The driver of the gold Dodge pickup truck stopped on the shoulder of Highway 281 and multiple subjects started exiting the truck in an attempt to abscond. After a search of the area, agents managed to apprehend a total of fourteen subjects. All fourteen subjects claimed to be illegally present in the United States.

At the Border Patrol Station, agents discovered that one of the subjects who claimed to be an illegal alien, was in fact, a United States Citizen. The subject was identified as David Antonio PEREZ

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Reviewed by: Linda Resuarez, AUSA
9/29/16

Sworn to before me and subscribed in my presence,

September 29, 2016

Date

3:00 pm at

Adan De Los Santos III Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State

Peter E. Ormsby

Name and Title of Judicial Officer

, U. S. Magistrate Judge

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1813-M

RE: David Antonio Perez

CONTINUATION:

PRINCIPAL STATEMENT:

David Antonio PEREZ, a United States citizen, was read his Miranda Rights and agreed to provide a sworn statement without an attorney present.

David Antonio PEREZ stated that he contacted a known alien smuggler and offered his services to transport illegal aliens north. PEREZ stated that he was going to be paid \$700 USD to transport illegal aliens. PEREZ also stated that the smuggler provided him with the pickup truck and instructions. PEREZ indicated that he picked up the aliens at a stash house and drove them north. PEREZ also indicated that when he saw Border Patrol behind him; he was on the phone with the smuggler and that the smuggler told him to stop and run.

Note: both Material witnesses are related (father and son)

MATERIAL WITNESS STATEMENT – 1:

Alfredo PADILLA-Ramirez, a citizen of Mexico, was read his Miranda Rights and agreed to provide a statement without an attorney present.

Alfredo PADILLA-Ramirez stated that he was traveling with his father, whom made all the smuggling arrangements. PADILLA also stated that once in the United States, he was transported to a stash house where he stayed only a few hours before he was transported north. PADILLA indicated that a man driving a gold color pickup truck showed up at the stash house to pick them up. PADILLA claims that once they were driving north, the driver stopped and told them to run and hide.

Alfred PADILLA-Ramirez identified David Antonio PEREZ through a photo lineup as driver of the gold color Dodge pickup truck.

MATERIAL WITNESS STATEMENT – 2:

Gustavo PADILLA-VILLAZANA a citizen of Mexico, was read his Miranda Warnings and agreed to provide a statement without an attorney present.

Gustavo PADILLA-VILLAZANA stated he was going to pay \$4,500 USD to be smuggled into the United States. PADILLA-VILLAZANA also stated that once in the United States, he was taken to a stash house for the night and then they were picked up by a subject driving a gold Dodge pickup truck. PADILLA-VILLAZANA indicated that they drove for about twenty-five minutes before getting arrested.